


<b>Application Number</b> 	<b>Application/Control No.</b> 10008565	<b>Applicant(s)/Patent Under Reexamination</b> CORBETT, PETER F.
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<b>TERMINAL DISCLAIMER</b>	<input checked="" type="checkbox"/> <b>APPROVED</b>	<input type="checkbox"/> <b>DISAPPROVED</b>
<b>Date Filed:</b> 10/10/2007	<b>This patent is subject to a Terminal Disclaimer</b>	

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**TERMINAL DISCLAIMER TO OBIATE A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

In re Application of: Peter F. Corbett

Application No.: 10/008,565

Filed: November 13, 2001

For: PARITY ASSIGNMENT TECHNIQUE FOR PARITY DECLUSTERING IN A PAR-ITY ARRAY OF A STORAGE SYSTEM

The owner\*, NETWORK APPLIANCE INC., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 6,851,082 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

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- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
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- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 51,605

/shannen c. delaney/  
Signature

October 10, 2007  
Date

Shannen C. Delaney  
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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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